To Dr. Sumner
from the Auth.

LETTERS, &c.

[PRICE ONE SHILLING AND SIXPENCE.]

A

LETTER

TO

THE PEOPLE OF GREAT BRITAIN AND IRELAND,

ON THE EXPECTED ADDRESSES TO

HIS MAJESTY;

CONGRATULATING HIM ON HIS RECOVERY.

TO WHICH ARE ADDED,

SOME NEW REMARKS ON THE LATE REGENCY BILL.

BY A GENTLEMAN.

Scandit fatalis *Machina* muros
Fæta armis, et ipſe doli Fabricator Epeus. VIRG.

LONDON:

PRINTED FOR G. KEARSLEY, NO. 46, FLEET-STSEET.

MDCCLXXXIX.

12.

BIBLIOTECA

TO

HIS GRACE THE DUKE OF LEINSTER;

THE DELEGATES OF THE PARLIAMENT OF IRELAND;

AND,

THE CONSTITUTIONAL AND SUCCESSFULL MAJORITY OF BOTH HOUSES OF THAT NATION,

WITH ALL DUE RESPECT, THESE REMARKS ARE DEDICATED BY

THE AUTHOR.

PREFACE.

BEING informed that a number of Addreſſes are preparing in different Counties, both of Great-Britain and Ireland, to congratulate our moſt gracious Sovereign, on his late happy recovery; and knowing well that the ideas of happy concluſion, and provident meaſures, are ever interwoven and confuſed, I could not avoid ſubmitting to my countrymen, and particularly thoſe reſiding in places diſtant from the metropolis, a few admonitions on their conduct, at this criſis of affairs. For though the rays of influence are there more faint than at a leſs diſtance from their ſource; thoſe of truth may be equally obſcured by the artful interpoſition of falſe information or ſeductive advice. I do not wiſh to freeze, by malignant ſuggeſtion, the generous effuſions of a loyal joy, but merely requeſt that my fellow-ſubjects may not raſhly join to thoſe congratulations particularly meant for their Sovereign, an unlimited approbation of any meaſures which may have been adopted during his abſence, until they are convinced that they would have been at this period advantageous to their country had they been carried into effect, as well as an imitable example, for poſterity.

LETTERS,

ERRATA.

In the firſt Title, for *Letters*, &c. read *A Letter*, &c.

The ſame error occurs again at the bottom of the Preface.

Page 14, l. 13, for *Exportion*, read *Exportation*.

Page 14, l. 13, for *Prohibitation*, read *Prohibition*.

Page 16, l. 2, for *not no ſay*, read *not to ſay*.

Page 25, l. 21, for *at the ſame we*, read *at the ſame time we*.

Page 29, l. 9, for *incoguitum*, read *incognitum*.

Page 31, l. 16, for *may diſpoſe of*, read *may diſpoſe*.

A LETTER, &c.

SECTION I.

On the Recovery of His Majeſty.

ON the fortunate concluſion of any threatning circumſtance, we generally feel that new philanthropy, and that additional portion of charity infuſed into our boſoms, which leading us to the ſole contemplation of the exiſting cauſe of ſatisfaction, and inducing us to argue from immediate conſequences, at the ſame time renders us unmindful of what probability held out to us previous to our deliverance, as well as careleſs to the remoter evils, which any improvidential meaſures in regard to the event in queſtion, might have been calculated to produce. Let a fortunate circumſtance be once produced, and the honour of it will *be* aſcribed to the moſt foreign and irrelative means, if any have been

employed; and thoſe meaſures will be ſanctified by the applauſe of the people, which good fortune perhaps, could alone have reſcued from dangerous proof and ignominious conviction. Hence the voice of diſcerning cenſure, which refers back to probability and the darers of it, is loſt amidſt the undiſtinguiſhing unreaſoning tumult of riotous joy, and the watchful eye of prudence is averted from proſpective conſequence, by the ſeductive object of preſent tranquillity and ſatisfaction.

It is thus that the fortunate, though unexpected recovery of our beloved Sovereign, has produced more loyal joy than philoſophic reflection; whilſt the very remembrance of thoſe evils which we were deſtined to ſuffer during his abſence, ſeems to be blotted out and eraſed from our minds, by his ſeaſonable return to us. So particularly beneficial indeed is it to this nation, that is has been as warmly hailed by the oppoſers of the Miniſtry, as by the Miniſters themſelves; in this one inſtance at leaſt, it has produced a coalition of ſentiment and ſatisfaction, and even that independent of thoſe general feelings which every loyal ſubject muſt experience on a ſimilar occaſion—For the meaſures of one party have not been forced on the ordeal, which they could not have

have endured, whilſt the reſponſibility of the other, has not been endangered by a ſituation which they muſt have accepted from duty, might have filled with honour, but never with a probability of advantage to their country, or a proſpect of ſafety to themſelves; a ſituation as novel to all men, as to the conſtitution itſelf.

But however auſpicious ſuch an event may have been; however coincident with the wiſhes, and grateful to the feelings of a kind and loyal nation, I ſtill ſhall hope, that our judgments will not be loſt in our congratulations; nor that a genuine *amor patriæ*, ſo characteriſtic of my countrymen, may ever be thought unworthy to be put in competition with any affection or attachment whatever. I flatter myſelf, that we will not ſuffer aſpiring and ambitious men, to take advantage of our feelings, or to improve on good fortune, by diverting our attention to the concluſion of diſputed meaſures, from their conduct in them; but ſcrupulouſly and minutely inveſtigating the principles of it, convince ourſelves what muſt have been the immediate conſequence, and what ſtill may be the remoter prejudicial offspring of their intereſted and improvident propoſals. We will not be content even with a real cauſe for ſatisfaction, when we ought to have

been tortured with regret, and loaded with diſgrace; we will not be inſenſibly indifferent to the means, becauſe the end is obtained; or think that we are at liberty to be ſottiſhly happy, becauſe we have eſcaped where we ought to have fallen; and are no more threatened with immediate confuſion of influence, and anarchy of government, which thoſe deſtructive meaſures muſt neceſſarily have, and may ſtill eventually entail on us, or our poſterity.

I will not, however, attempt to excite you by invective againſt the one, as little as I would entice you by panegyrick to the approbation of the other party, but fairly inveſtigate the ſubject in general, as far as the juſt liberty of the preſs, and my own information will allow me: almoſt regretting that the immediate conſequences will now only be theoretical, whereas, had we practically experienced them for a ſhort ſpace of time, and in a ſmall degree, by the earlier appointment of a limited Regency, we ſhould have prevented the real weight of our errors from falling on our innocent poſterity, by repealing and pointing out to them the errors of a precedent, the noxious tendency of whoſe principles we ourſelves had felt. For though it is not yet a law, it is ſtill a dangerous fact in hiſtory, and the exhalation

of

of its influence, as an example, may throw in future times a more peſtilential blot on the conſtitution, when the ſpirit of liberty and order may not be ſo healthy to reſiſt it, as I am confident it now is among thoſe of my fellow-ſubjects to whom theſe remarks are addreſſed.

SECTION

SECTION II.

Shewing that the Spirit of our Conſtitution does not require Limitations to be attached to the Office of all Regents; and that all Reſtrictions, applying to particular Situations, can be no Precedents.

FROM time almoſt immemorial, and down to the preſent reign, excepting in illegal and ſeditious Parliaments, the King had been conſidered as poſſeſſing the attributes of abſolute perfection and immortality; but by the late reſolutions of Parliament, a political and perſonal imperfection was diſcovered in him, and therefore diveſted of this pre-eminency of perfection, he was for the time being, declared unfit for the helm of either public charge or private affairs.—His immortality, though greatly ſhaken by this reſolution, yet being of a unit and ſimple nature, and conſequently incapable of exiſting by parts, was fortunately preſerved:—a ſtanding maxim of law was however reverſed, and his Majeſty was declared to lie under an incapability, of which

which the law had declared him incapable of. It is vain for Lawyers to urge the diſtinction of his natural and political body, without applying the diſtinction to the caſe, and conſequently preſerving the Monarchy, however they had reaſoned on the perſon of the King; for though the Courts of Juſtice continued to ſit by a previous commiſſion in his name, the Parliament were obliged to invent another ſubſtitute to ſanction their proceedings, and accordingly fixed upon the Great Seal, as the moſt likely machine to comply with, and to diſclaim all reſiſtance to ſuch reſolutions, as they ſhould inſiſt on its aſſent to, and impreſſion on. Nothing can bear a more ſtriking reſemblance to this part of our hiſtory, than a famous precedent in the civil hiſtory of the Frogs; who growing diſcontent from too much proſperity with their venerable conſtitution, which even their moſt illiterate hiſtorians could trace up to the deluge, conſented by the artful inſtigations of their prime Miniſter, a water ſerpent and a foreigner, to a change in their government, in the perſon of an harmleſs Log, who accordingly was inſtalled with much pomp and ceremony; but his peaceable and unreſiſting character, affording too great a power to their chief Miniſters, they found it expedient

to declare him incapable of governing, and accordingly depoſed him—But an innovation having been once made, it was declared by the unanimous deciſion of twelve of their chief Lawyers, that this alteration afforded a good and legal precedent for any future change whatever; and accordingly we find them (in an original record on papyrus, found in the Nile) a few floods ſubſequent to this tranſaction, under the government of a moſt tyrannical and rapacious Monarch, who would have extirpated the whole race in a few centuries, had he not conſidered the continuation of a neceſſary ſupply, as well as the gratification of his barbarous inclinations.

But though this quality or capacity of governing, was dead in his Majeſty, it never was ſo in contemplation of the law, which will not ſuffer any of thoſe powers which it has granted for its own preſervation, to lie dormant for a moment, unleſs either high neceſſity, or almoſt abſolute impoſſibility do not prevent the exiſtence and exertion of them—And therefore we find, upon any poſſible and incidental defect to our government, a moſt provident preparation in the conſtitution for the ſupply of it; and firſt, in the Heir Apparent, and Prince of Wales. For this purpoſe our laws have wiſely inveſted him with ſo many pre-

eminencies

eminencies above all other ſubjects; for this end is his perſon ſo peculiarly ſacred, and his ſituation ſo exalted; nay, ſo penetrating and ſo cautious have our laws been with regard to him, that they have endeavoured to ſoften and blunt the paſſion of envy itſelf, by placing him next in dignity to the throne, leaſt the too rancorous hearts of mankind ſhould not be able to bear the immenſe tranſition from ſubject to King, whenever the demiſe of his father ſhould call him to the filling of the throne; or the more unfortunate maladies incidental to mankind, ſhould point him out as the temporary poſſeſſor of all royal powers, and exerter of all Kingly prerogative.

Yet, although the ſpirit of our conſtitution clearly points him out as the moſt proper perſon to ſupply any temporary neceſſity or defect in the royal authority, I do not ſay that his office is of abſolute law; and conſequently of abſolute right; indeed it is clearly introduced by the ſtatute law, but the different ſtatutes are ſo diſcordant, ſo immediately relative to the circumſtances of the times in which they were made, that it will be as unjuſt as impoſſible, to attempt to derive any precedent or counſel from them.

Both our common law, however, and ſtatute law, are unanimous in ſupporting the legal and limited monarchy of this kingdom; of aſſerting the continuance and immortality of both its perfection and prerogative, and conſequently expreſsly declaring, that it is not conſiſtent with the intereſt of the nation, to be governed by leſs power; nay, that its welfare could not exiſt with leſs, and therefore ſhould not be attempted to be governed by leſs, except when that high neceſſity, or almoſt abſolute impoſſibility ſhould occur, which indeed is ſuperior to the regulations of any law, or the foreſight of any men.—A neceſſity, which nothing but the efficacy of divine law could counteract, or the providence of divine wiſdom foreſee.

But it is aſſerted to ſupport the legality, not the expediency of reſtrictions, that all previous regencies have been reſtricted, limited, or joined to councils; but ſtill more or leſs as circumſtances required.—This is the moſt abſolute proof, that precedent never was conſidered at all, and that neceſſity and expediency counteracted the ſimple law; for as a Regency is a ſtatute law office, was always formed to ſuit the circumſtances and complexion of the times to which it was neceſſary,

ſary, has ever been diſcordant in its reſtrictions, and always applying to a circumſtance which could never collaterally, and in toto, happen again; no particular Regency could ever be adduced as a precedent to a ſubſequent one; and for this reaſon, no Regency bill was abſolutely, or could be virtually repealed by any ſubſequent act, relative to totally different perſons and circumſtances.

The argument will then ſtand in this manner: —that they are ſeparately precedents of expediency only, and conſequently only applicable to an exact caſe in point, and ought to be in matters, foreign to their own ſubjects, conſidered of no more authority and importance, than a private act of Parliament relative to an eſtate in the paſt century, is regarded in the diſpoſition of, and the deciſion on, a freehold, which may be litigated under the reign of his preſent Majeſty.

They cannot be laws until they have a certainty of operation, nor even precedents until they have a perfect ſimilarity of ſubject.

From theſe premiſes I muſt then deduce, that all limitations and reſtrictions above thoſe allowed by the conſtitution, proceeded not from the ſpirit of the conſtitution, not from precedent, and even not from inclination in the reſtrictors, but

they were fatal deviations from the deſire of the law, which ever ſaw itſelf, with regret, obliged and reduced by high neceſſity to abridge thoſe powers which it had once given, and to ſuſpend ſome of its regulations, in order to preſerve the exiſtence of the remainder.—Not from inclination, becauſe the neceſſity was always alledged, and of fatal tendency, becauſe we owe only to them, and an unjuſt interpretation of them, the late dangerous and perplexing reſolutions.

May I not then fairly conclude, that the abſolute reaſon why ſuch laws were ever paſſed, was, that at thoſe periods there never was a Prince of Wales, of a legal age, in whom the wiſhes of all men ſo unanimouſly concentered, as in his Royal Highneſs at the late critical juncture; that is to ſay, that the only reaſon for reſtrictions was neceſſity; that a high neceſſity had ever exiſted, previous to the late bill; but that here it did not exiſt to give legality to, or to enforce the propriety of, any reſtrictions whatever; which, if I can prove in the ſubſequent Section, I hope my countrymen will, with me, deduce from that proof, that the propoſed reſtrictions, were unconſtitutional, as much as thoſe who propoſed and ſupported them, were enemies to the conſtitution.

SECTION

SECTION III.

That there was no Neceſſity for limiting his Royal Highneſs the Prince of Wales; and of the Conſequences of the Example of thoſe Limitations.

HAVING in my laſt Section eſtabliſhed the poſition that, neceſſity only was ever the cauſe of limiting any Regent whatever, and conſequently, that it alone could give any legality to ſuch reſtrictions, I ſhall proceed to inveſtigate the grand neceſſity, as laid down by the ſupporters of the late reſtrictions for limiting his Royal Highneſs the Prince of Wales. I ſhall not, I believe, be contradicted, when I contend that this neceſſity muſt be proved to poſſeſs certain inherent and inſeparable qualities before its exiſtence can be allowed; for unleſs it poſſeſs ſome high qualities, we are bound to pay infinitely more regard to the long eſtabliſhed regulations of the law, and the conſequences attending the ſuſpenſion of them, than to any trivial and tolerable inconvenience which a ſlight neceſſity, when unprovided for, may produce:—and theſe qualities

ties are imperiouneſs, urgency, and laſtly, indiſpenſableneſs; if, therefore, that alleged by the miniſtry be even proved to have exiſted, but poſſeſſes not theſe eſſentials, we ſhall ſtill be bound from concluſion and common ſenſe, to reject it as inſufficient, and therefore unconſtitutional.

But before we inveſtigate the neceſſity alleged by the Miniſter, let us for a few moments reflect upon the general orders of our laws themſelves, nor decide with that indifference on the ſuſpen- of the action of the firſt ſpring of them, with which we might contemplate an illegal proclamation, for the prohibitation of the exportion or importation of corn, or the repeal of a turnpike, or a paving act of Parliament. I will aſk my countrymen if they do not unanimouſly join with me, in aſſerting, that nothing but the moſt high, nay the moſt ſacred neceſſity ſhould indcue our legiſlators at any time to interrupt that continuation of allowed perfection and legal power, given for and acknowledged to be eſſential to our well being, and without which, we may ſuffer in the whole, but abſolutely muſt in ſome part of the whole. For as all powers and prerogatives which are not eſſential to the welfare of the public, or the diginity and authority of the crown, are oppreſſions, are grievances, are even a ſpecies of tyranny,

ranny, and ought to be aboliſhed, ſo thoſe which are, and ever have been univerſally acknowledged to be uſeful and eſſential to both, and conſequently equally ſo under a Regent, as a King, ſhould be reſpected with the utmoſt deference, guarded with the utmoſt vigilance, but never aboliſhed or ſuſpended, unleſs they cannot be exerted from high and irreſiſtible neceſſity.

They cannot be, indeed, ſuſpended without a departure from the ſacred principles of the law, and without affording an inlet, an example, nay an encouragement to any Heroſtratus, who may chuſe to reduce to aſhes ſo venerable a pile of wiſdom, to build his fame on its deſtruction, and to glory with impunity over the ruin which he himſelf has made.

We will not then inveſtigate the moſt trifling reaſons urged by the miniſtry; the neceſſity they contain cannot have either the qualities of urgency or indiſpenſableneſs; it would be even injuſtice to repeat them, and therefore we ſhall proceed to the grand reaſon on which the whole of the limitations were grounded.

The grand neceſſity alluded to, was that of ſo regulating the influence of his Royal Highneſs as Regent, that the end of facilitating his Majeſty's return to power at his recovery might be attained,

attained, and conſequently conveyed this meaning, that it was poſſible, not no ſay probable, that the Prince would reſiſt or oppoſe his Majeſty's return to power.

To quiet the ideas of my countrymen, I will firſt ſay a few words on the probability proceeding from either the character, intereſts, or even power of the Prince, and afterwards I will inveſtigate the poſſibility.

To argue on the ground of thoſe many virtues which are univerſally allowed to throw ſo bright a luſtre on the exalted ſituation of his Royal Highneſs, would appear perfectly foreign to the argument, were we not reminded that no reſtrictions can be ſaid to be juſtified by precedent, but grow out of expediency, which itſelf muſt depend on human probability.

We cannot then but feel the keeneſt indignation, on finding ſo unfair an inſinuation on the character of his Royal Highneſs, not only held up to the preſent, but alſo handed down and recorded for the peruſal of the remoteſt poſterity. —To give that honeſt approbation, which the conduct of his Royal Highneſs, during the late criſis, has indiſputably inſured him, is the duty of every man who either writes or ſpeaks of him; but there is likewiſe an abſolute obligation on thoſe

thoſe who publicly mention his name, of proving the falſehood in principle of thoſe limitations which have not only repreſented the Prince as dangerous if not limited to his country during the indiſpoſition of his Majeſty, but even the poſſibly treaſonable uſurper of the authority of the crown, in prejudice to his own father, at his recovery.

For what other ſenſe can the facilitating of his Majeſty's return to power convey to the People at large? They are unacquainted what quantity of relation probability and poſſibility bear to each other; they draw their concluſion from generals, and form their opinions to the diſadvantage of the Prince from that implication which ſuch reſtrictions convey to them. But I earneſtly intreat my countrymen, to owe their opinion of his Royal Highneſs to no man, friend or enemy, but to his actions, which can beſt ſpeak for him.—Let them form their concluſion from his noble contempt of cabal and intrigue, of perſonal interference, or of ſeductive promiſes to gratify that perſonal ambition which is ſo inſidiouſly and unjuſtly aſcribed to him. — Let them judge from his prudent deprecation of the uſeleſs Queſtion of Right, and his ſimple, but manly, declaration, through his Royal Brother, that he neither claimed or wiſhed for any right or power, but what might be eventually conducive to the happineſs of his country,

the preſervation of his own honor, and the ſecurity of the King, his father.

I do not willingly enter into a diſcuſſion of theſe facts, I know that the moſt juſt applauſe is diſtreſſing to a noble mind; but having once ſaid that all reſtrictions were ever adapted to the ſituations of the times, and the probabilities of them, I could not avoid repreſenting in what ſtate they were, at the forming of theſe limitations, and what were their probabilities, that my readers may judge, whether theſe reſtrictions were neceſſary, and conſequently, whether unconſtitutional or not.

But neither was it the intereſt of his Royal Highneſs to oppoſe the return of his Majeſty to power, unleſs we could ſuppoſe that a great and virtuous Prince would riſk his life, his honour, nay his character to all duration of hiſtory and tradition, for the moſt improbable anticipation, for the moſt impoſſible and treaſonable uſurpation of a reverſionary dignity, which in the courſe of human affairs, he may ſoon ſucceed to, though I am confident that his own ſentiments are, that he never can too late. Theſe may be the wiſhes, the intereſts, nay, the attempts of an obſcure, yet darling and wicked ſubaltern, like Oliver Cromwell, but never thoſe of the firſt ſubject, and future Monarch of this kingdom.

Miniſtry

Miniſtry have, however, alledged, that there was a poſſibility, and therefore the Prince ought to be limited; although, according to their own avowal, there was no probability of ſuch a conduct in his Royal Highneſs. I allow the poſſibility (for Nature may always produce what ſhe inherently poſſeſſes); but I will aſſert, on the other hand, that we have no other ſecurity for our property, liberty, and lives, but the probability of the continued authority and force of our laws. Our common conſent, and long concurrence, have given that firmneſs of texture to our conſtitution, which will probably, for a long time, preſerve its repellent power againſt every aſſault, of either avowed tyranny, or the ſapping corroſion of ſilent influence; but even that hardy, that robuſt quality, may, in poſſibility, be enervated, nay, annihilated, to-morrow; and in truth, it is already more poſſible ſince the date of thoſe innovating reſtrictions, than it was the day previous to the propoſal of them.

If, therefore, the imperious law of the land, if a ſacred act of parliament, expreſſing and commanding, that the office of Regent ſhall exiſt only during the indiſpoſition of the Sovereign, and no longer; I repeat, if this law has not that probable efficacy and power to enſure to any indiſpoſed Monarch a reinſtatement, in all his dig-

nity and rights, at his recovery, I do not know by what other probable ſecurity his Majeſty can hold that crown, which he now enjoys, or can be one moment aſſured of the allegiance of his ſubjects. Does he hold it by the ſecurity of the army and navy which he officers; by the revenue officers whom he appoints; or by the influence of the Lords of the Bedchamber? No; but he holds it from the Act of Settlement, and by the law of the land, to which, if volumes of ſtatutes, and camel loads of aſſuring parchments were added, his ſecurity, ſo far from being leſs aſſailable, would be rather more expoſed to attack and diminution—for every contract and deed is leſs valuable, in proportion to the ſuſpicions thrown on it, as well as to its length and intricacy.

Again ſhall Parliament afford an implication of the weakneſs and impotency of its own deciſions, muſt it provide ſome new ſecurity to enforce its determinations, in addition to the general cuſtom, and neceſſity of obeying them? I am ſhocked, that a hint has ever been given, that Parliament was ſubject to ſo groſs an imperfection, which not even the penetrating eye of a Monteſquieu, when he exquiſitely perceived where our liberties might be wounded; could diſcover in it.

There

There was then no neceſſiy of attempting to ſecure a right, which, as already impregnable, was found of efficacy from experience; and in ſhort, feared nothing, but the dangerous ſuppoſition, that it was not already ſecure.

But as ambition, and the poſſibility of its exerting itſelf in the Prince, to the prejudice of his Majeſty, is ſuppoſed to be an unavoidable ingredient of his diſpoſition, let us impartially allow that ſuch a paſſion, nay, that likewiſe ſuch a diſpoſition may as probably exiſt in the breaſt of either a lawyer or a prieſt. The office of Member of the Council, which was to have been appointed for the aſſiſtance of her Majeſty, was an office determinable, like that of the Regent, by the recovery of the King, the certainty of which the hands and ſeals of that council were to teſtify. A high and uncommon truſt was eſtabliſhed, combining the advice of the diſpoſal of an immenſe ſum of wealth and honor, as well as of the providing for the proper care and diſpoſal of his Majeſty's perſon. But here no poſſibility was hinted, or ſuppoſed, that any of theſe loyal and high-inveſted perſons might entertain a wiſh to hold ſuch important truſts beyond a neceſſity for their duration, and conſequently no ſecurity was given to the public (except a feeble Act of Parliament) that their

power

power and influence ſhould be abſolutely inſufficient to prevent our beloved Sovereign from aboliſhing thoſe formidable offices by his own aſſertion of his health, and public re-appearance to the eyes of his longing ſubjects. I mean not to inſinuate, nay, I deny the probability of ſuch a conduct; but I affirm there was at leaſt a greater probability than ever could be traced in either the diſpoſition, character, or intereſts of the Prince of Wales.

Miniſters have urged, with ſome degree of obſtinacy, that there was an urgent and indiſpenſable neceſſity that the Regent ſhould not create peers, or grant patent places, ariſing from the danger of a corrupt influence being eſtabliſhed in either or both Houſes, to the increaſe of the authority of the Regent, and the probable enfeebling of the power of his Majeſty to reinſtate himſelf in his lawful rights at his recovery.—Gratitude is certainly a moſt ſtrong and faithful paſſion, but when unattended by continued expectation, of moſt uncertain exiſtence, and conſequently a very ſlender ſecurity for the ſupport of any men, but much leſs in meaſures of perſonal hazard, and treaſonable intent, where much may be loſt with infamy and deſtruction, but nothing can be gained with either ſecurity or honour. The neceſſity then of regulating this influence,

fluence, I think can have no claim to urgency or indiſpenſableneſs; and particularly when we reflect that the force of the determinations of Parliament will apply as an equally ſtrong check to the ſuppoſed dangerous diſpoſitions of all enterpriſing ſtateſmen, as to the more extenſive powers of an unlimited Regent.

Indeed I am ſorry to remark, that the whole of the propoſed reſtrictions bear too much the character of regulations for the ſituation of a few individuals, at leaſt much ſtronger than of proviſions for the general intereſt and honour of the nation; I will not comment on the ſuppoſed neceſſity, that a public calamity muſt enſue, if his Majeſty at his recovery did not immediately find his old, though not all-favourite, Lords of the Bedchamber, attendant on his perſon; this will not admit of argument, though it will afford an excellent ſubject for mirth, becauſe his Majeſty, we know, might have immediately exerciſed the ſame right which the Regent had already exerciſed, and conſequently re-eſtabliſhed his favourites, or any others, in theſe reſpectable offices. But it is almoſt a ſubverſion of all reaſon and ſyſtem, that a Prince of Wales, with ſo many dangerous qualities, ſhould be empowered to make peace or war, diſſolve and convoke Parliaments, join in legiſlation, ſend and receive Ambaſſadors, make

treaties

treaties and alliances; but he ſhall not make Peers, grant patent places, or profane with unhallowed hands, one ſingle domeſtic office in the Royal Houſehold. Had the Prince, in fact and reality, been deſerving of thoſe ſuſpicions which are ſo artfully thrown on him, much heavier and more important limitations would have ariſen from ſo high a neceſſity, and Miniſters would have been more worthily employed in forming a Council to counteract intentions which might have decided on the ruin of our conſtitution, than in the petty care and ſelfiſh foreſight of providing for the continuation of a ſufficient fund of wealth and honour, to reward their intereſted zeal at the recovery of his Majeſty; by this method alſo the Sovereignty might have been preſerved in perfection and immortality, without either danger to the rights of the Sovereign himſelf, or impotency in the executive part of the Government.

But, however trifling and ſhort-ſighted was the intent, the fatal conſequences may be extenſive, both in earlier and in later times; a deliberate and daring attack has been made on the conſtitution, and though evidently calculated to erect a fabric of tyranny and influence, it has not been reſiſted with that ſufficient and watchful oppoſition, which is the life of our liberty, and eſſence of our being, as a nation. Indeed, in many

many men, the eye of diſcernment ſeems to have been dim to the intereſt of the public, but eagerly attentive to other leſs worthy, ſo perhaps more ſeducing, objects. The influence of ſecret corruption ſeems to have deſpiſed its horizontal and attracted impulſe, by which, its efficacy, was confined to thoſe objects who ſurrounded, or were under the ſphere of its action; our guardian genius himſelf has been mortally infected, and become inſenſible to our preſervation, ſerves only to remind us of thoſe birds in the poet, who in ſpite of their diſtant ſoar and exalted flight, were unable to reſiſt the poiſonous exhalations of the Avernus below. We cannot then be ſufficiently grateful, or religiouſly eager, in acknowledging a particular diſpenſation of Providence in our favour, when we reflect that we could not otherwiſe have avoided the conſequent pernicious aſſaults, and perhaps total ceſſion of our liberties, which muſt have ſyſtematically crowded into ſo wide a breach in our laws; at the ſame we muſt be equally ſenſible to the means employed, than which none could be more ſeaſonable, expedient, or conſonant with the ſituation, the neceſſities, and feelings of a loyal public. The recovery of his Majeſty was the only poſſible prevention of anarchy in the government, and of anxiety, impo-

tence, and chagrin in his Royal Highneſs, and his propoſed Miniſtry.

But whilſt we indulge in the pleaſing reverſe of our own affairs, and exult in our eſcape, let us not be inſenſible to the intereſt of thoſe of our countrymen who may ſucceed us, nor adopt the unfeeling ſentiments of the perverſe ſpectator in Lucretius, who declares, that it is a real pleaſure to contemplate a diſtant tempeſt with a veſſel in diſtreſs, provided he himſelf be on ſhore, and out of all apprehenſion of danger. Let us not ſanctify, by a premature exultation, any meaſures relative to this great event, which becoming an example to our poſterity, may lead them into all the intricacies and diſgrace of ſimilar meaſures, without a ſimilar and fortunate concluſion of them; for though a caſe in point never did happen previous to the late unexpected malady of our Sovereign, yet it ever was a probable event in the courſe of human affairs, and may undeniably again happen in other diſtant ages, as it has already happened in this.

Let us then examine, how this example, as recorded in hiſtory, may affect them; and at the ſame time permit me to intreat every hiſtorian, that he may never mention this criſis as a ſimple fact, but comment on the folly and want of penetration

tration in the times which ſanctified ſuch meaſures, by their haſty and ignorant co-incidence.

No man, I believe, will contradict the danger of unneceſſary innovation; its induction of precarious tenure; the fall of the credit of any ſyſtem to which it is applied; and laſtly, the uncertainty of either the effect or extent of its conſequences. The date of our conſtitution, and the experienced excellence of it, gives a reciprocal ſupport to each other; its antiquity throws a venerable authority on its powers, and its intrinſic value juſtifies the length of its duration; and proves that it has other qualities than fabulous deſcent, or ſuperſtitious attribute, to endear it to our judgment:—but let once the hand of any enterpriſing and intereſted politician profane its moſt ſacred arcana, and refine upon their myſteries until their eſſence evaporates, our veneration will become familiar, and our protection negligent, whilſt every infatuated projector, who dares to brave our diſcovery, will ſteal its intrinſic gold away, and leave to the duped proprietors the uſeleſs droſs of what it was:—let it be once whiſpered to a factious poſterity, that a time was, when even at a critical juncture of politics, this nation was unneceſſarily deſtined to exiſt, if poſſible, during an ungiven period without the exiſtence of the Monarchy; without the enjoyment of the exertion of thoſe

powers given, and declared to be indiſpenſably neceſſary to the welfare of the public; and there will not men be wanting, who may propoſe, nay enforce, by this example, an unjuſt reſolution to deprive perhaps, a juſt and patriotic King of his dignity and perfection, and finally of his crown, his liberty, and not improbably, of his life. They may go beyond the example of that artful countryman, who in contracting a marriage for his daughter with the lion, firſt ſtipulated with the Monarch for the abandon of his teeth and claws; that is to ſay, of his noxious and dangerous prerogatives, but ſtill did not inſiſt on the inglorious ceſſion of his majeſtic mane, his commanding eye, or authorative roar, or in ſhort, of any quality eſſential to his rank, however ready the enamoured King might have been, to part with them all for ſo trifling a conſideration; in ſhort, the horrors of long Parliaments, and arbitrary Protectorſhips, may be the conſequence of ſuch an example, and eſpecially when we reflect that the illegal limitations of the legal prerogative were the immediate prelude to the melancholy ſcenes which ſo diſtracted this unhappy country under the infortunate Charles the Firſt.

How our liberties now ſtand, we know; in future times we may not; ſince the ſame principle which abridged the rights of Monarchy in favour

of

of the perſon of the Monarch, may eventually entertain an equal diſreſpect and contempt for thoſe of the people. Innovation is a monſter, whoſe ſoul is injuſtice and caprice, and therefore I would not hefitate to prefer any certain and determinate portion of ſlavery, to the moſt ſplendid and exalted liberty, whilſt precarious and unſettled,—*miſerrima eſt ſervitus ubi jus vagum aut incoguitum eſt.* The principle then of Mr. Fox, was ſtill manly and patriotic, when he aſſerted the right and neceſſity of the continuation of the prerogative of the Sovereignty in the perſon of the Regent; he knew the continuation of the ſpirit of the conſtitution to be the only ſecurity for the liberty of the people, whilſt that of the Miniſtry endeavoured to entice away their judgment, by the ſpecious offer of a holiday as it were, a temporary ſchool vacation, from power and prerogative, by gratifying their darling paſſion for the reſtricting and limiting of great men; but without acquainting them that what they imagined, would be in a ſtate of temporary ſuſpenſion and abeyance, did nevertheleſs ultimately veſt in them, or in thoſe perſons over whom their acquired confidence would aſſure them of an irreſiſtible perſuaſion: I therefore repeat and urge, that the Miniſtry have not in their late meaſures, conſulted either the good of the public,

public, the ſpirit of our laws, or even the intereſts of the Sovereignty, but have merely endeavoured to draw from accidental circumſtances, a new cauſe for the increaſed favour of his Majeſty, for the regard they have paid to his perſon, though in prejudice to the dignity of the crown which he wears, and the intereſt of the people whom he governs.

The fatal principle I fear which has been the ground of theſe proceedings, was a conſciouſneſs of that care and reſpect due to the perſon and rights of the King, with a total forgetfulneſs of the rights and dignity of the kingly office; an ardent intereſt for the Monarch, but none for the monarchy; and as our laws have declared that in the continuation of the monarchy as it now ſtands, conſiſts the welfare of the people, we may infer, that the welfare of the people has been neglected alſo. His Majeſty has been repreſented as the proprietor of his ſubjects, and it has therefore been urged that the ſteward of the proprietor could never have a right to the ſame powers as the proprietor himſelf, and that the re-enjoyment of this property could only be ſecured to him by reſtrictions laid upon his ſteward.—But it ought to be conſidered, that the King himſelf is only the grand and ſupreme ſteward of the realm, and that he only repreſents

preſents thoſe powers which ultimately reſide in the people, though he has a right to that ſtewardſhip; and that as it is a maxim in law, that *vicarius non habet vicarium*, it could not be juſt that the execution of the office of the ſtewardſhip ſhould be loſt in part to the country, becauſe the ſteward was incapable of diſcharging his office.—The right ſhould have been preſerved to the lawful ſteward, and the office to the country. It is undoubtedly true, that his Majeſty has a property in his ſubjects; but as it is a qualified property, and over ſenſible and reaſonable objects, the intereſt of the property ſhould have been conſidered, as well as that of the proprietor himſelf. The unqualified property of his Majeſty is that of which he may diſpoſe of according to his arbitrary will and pleaſure: his privy purſe, his timber, his domeſtic animals; but we are ſubjects—we are not money, which can be employed in any purpoſe whatever; nor trees, which can be lopped or felled at pleaſure; nor are we beaſts of burthen, on whom any load or ſervice can be impoſed. We are men, and free men, who have given his Majeſty a property in us, but not ourſelves as property. His Majeſty has a property in our allegiance, our loyalty, and legal aſſiſtance, becauſe he has a right to them; but the obligation is reciprocal, ſince we have equal-

ly ſtrong rights to his affection, protection, and upright diſcharge of his exalted office. We have alſo a right to ſee him in poſſeſſion of every neceſſary right and prerogative, or at leaſt the monarchy enjoying them, becauſe we have given them not merely to exalt the King, but to dignify the ſovereignty, and to promote the neceſſary ends of government.

The ſovereignty cannot then be diſcharged by proxy, without the ſame powers with which it was itſelf formed and modelled; for what was given for the benefit of the community ſhall not be ſuſpended, or remain in abeyance to the prejudice of it, for the conſideration of any individual whatever, except an abſolute and indiſpenſable neceſſity ſhall prove itſelf to be ſuperior to that prejudice.

I am confident, therefore, that my countrymen will not, in their congratulations to their Sovereign, afford the remoteſt idea of their approbation of thoſe limitations, which convey ſo direct an inſinuation on the character of his Royal Highneſs, or give the ſlighteſt ſanction to thoſe meaſures ſo injurious to his patriotic inclinations, and which can only be juſtified by the unjuſt ſuppoſition of his ever having been deſerving of them.

FINIS.